

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Thomas Donnelly, being first duly sworn, hereby depose and state as follows:

AGENT BACKGROUND

1. I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7); that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, the offenses enumerated in 18 U.S.C. § 2516. I have been trained in advanced investigative techniques and have satisfied all requirements defined by the Federal Criminal Investigator Classification series established by the U.S. Office of Personnel Management.

2. I have been employed by the FBI since 1996 and I am currently assigned to the Cleveland Division, Youngstown Resident Agency, Mahoning Valley Violent Crimes Task Force ("MVVCTF")¹, Youngstown, Ohio. My responsibilities include the investigation of various federal criminal offenses, including violent crimes, bank robberies, gangs, drug trafficking, felons in possession of firearms, and fugitives from justice, among others.

3. During my career, I have participated in numerous investigations involving threats, and I have had training and operational experience regarding how to investigate crimes involving internet threats.

4. This affidavit is being submitted for the limited purpose of establishing probable cause to believe that JAMES P. REARDON has committed a violation of Title 18, United States Code, Section 875(c), Transmitting Threatening Communication via Interstate Commerce.

¹ The MVVCTF is a FBI sponsored Task Force consisting of federal and municipal law enforcement investigators whose charter is to disrupt and dismantle violent criminal enterprises and individuals within the Mahoning, Trumbull, and Columbiana Counties in the state of Ohio.

5. The statements contained in this affidavit are based in part on: information provided by FBI Special Agents, Task Force Officers and FBI Analysts, written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, information gathered from the results of physical surveillance conducted by law enforcement agents, reporting by eye witnesses, independent investigation and analysis by FBI agents/analysts and computer forensic professionals, and my experience, training and background as a Special Agent of the FBI. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish the necessary foundation for the requested complaint.

BASIS FOR PROBABLE CAUSE

6. Instagram is a website and mobile application featuring user-submitted media in the form of images and videos. Due to the nature of dialing and routing of matters posted to the internet, Instagram posts cross state lines.

7. On August 16, 2019, New Middletown, Ohio, Village Police Chief, Vince D'Egidio contacted the Youngstown, FBI regarding an Instagram video that was brought to their attention earlier that day. The video had been posted to the Instagram page of Instagram user "ira_seamus" on July 11, 2019. The video depicted James P. REARDON holding an assault rifle. REARDON stated at the beginning of the video "Fuck a life." He then held the rifle in multiple firing positions with audio of gunshots and sound effects of sirens and people screaming added into the background. The video also had a caption that stated, "ira_seamus Police identified the Youngstown Jewish Family Community shooter as local white nationalist Seamus

O'Rearedon". The video is shown to be "tagged"² at the Jewish Community Center of Youngstown (hereinafter referred throughout as the "THREAT VIDEO")

8. On August 16, 2019, police obtained an arrest warrant for REARDON on charges of Aggravated Menacing and Telecommunications Harassment. Chief D'Egidio also obtained a search warrant for REARDON's residence (hereinafter "SUBJECT RESIDENCE").

9. On August 16, 2019, members of the FBI Mahoning Valley Violent Crimes Task Force ("MVVCTF") dispatched to the New Middletown Police Department in order to conduct pre-arrest preparations for the arrest of REARDON. During this time New Middletown Police Department Officers showed me other videos in which REARDON was depicted, including: a National Geographic documentary in which REARDON was at the "Unite the Right" rally in Charlottesville, Virginia in August 2017. REARDON is interviewed by journalist in which he espouses a white "ethno-state;" A Instagram video posted by REARDON in which he discharges two rounds of ammunition into a cover of a video while making a remark about "Jewish media."

10. On August 16, 2019, members of the MVVCTF accompanied by officers of the New Middletown and Springfield Township Police Departments executed a search warrant at the SUBJECT RESIDENCE. Upon entering the basement, MVVCTF investigators observed several firearms and clothing articles that were observed in REARDON's Instagram video postings. These items included: an MP-40 sub-machine gun like the one depicted in the THREAT VIDEO; an AR-15 assault rifle; numerous Nazi World War Two propaganda posters; a rifle bayonet; a Hitler Youth Knife; and vintage U.S. military equipment.

11. While officers were executing the search warrant, REARDON pulled up to the residence and was arrested without incident. FBI SA Bryon J. Speakes and FBI SA Thomas

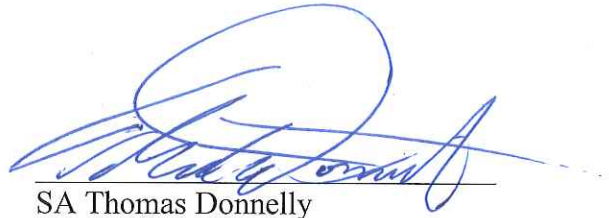
² "Tagged" suggests that the video was filmed at or near the Jewish Community Center.

Donnelly later interviewed REARDON at the New Middletown Police Department. After being advised of his *Miranda* rights REARDON stated that he posted the THREAT VIDEO under the Instagram handle "ira_seamus." SA Speakes showed REARDON a screen image of the THREAT VIDEO and he acknowledged that it was his video. He said that "Seamus" was a Gaelic version of his name, James. He also stated that he makes videos with friends as satire often uses racial and violent depictions for humor. REARDON said that the MP-40 sub-machine gun and AR-15 located within the SUBJECT RESIDENCE were his. REARDON stated that he attended the rally in Charlottesville, Virginia in August, 2017. While there, he met the murderer of Heather Heyer, James Fields. After the rally, REARDON said he was turned-off by the positions espoused at the rally, however, he identified the Neo-Nazi shield in his basement as being from the rally.

CONCLUSION

12. Based on the foregoing, there is probable cause to believe that REARDON has committed a violation of Title 18, United States Code, Section 875(c), Transmitting Threatening Communication via Interstate Commerce.

13. Accordingly, I respectfully request the court issue a warrant for the arrest of JAMES P. REARDON.

A handwritten signature in blue ink, appearing to read "Thomas Donnelly", is written over a horizontal line.

SA Thomas Donnelly
Federal Bureau of Investigation

Sworn to and subscribed before me this 19 day of August 2019.

A handwritten signature in black ink, appearing to read "George J. Limbert", is written over a horizontal line.
HONORABLE GEORGE J. LIMBERT
U.S. MAGISTRATE JUDGE